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excess of the limits defined above shall be permitted.

(d) Licensees authorized pursuant to paragraph (c) of this section shall bear the burden of coordinating with any future applicants or licensees whose proposed compliant operations at 10 degrees or smaller orbital spacing, as defined by paragraph (b) of this section, is potentially or actually adversely affected by the operation of the non-compliant licensee. If no good faith agreement can be reached, however, the noncompliant licensee shall reduce its earth station EIRP spectral density levels to be compliant with those specified in paragraph (b) of this section.

(e) For earth stations employing uplink power control, the values in paragraphs (b) (1), (2), and (4) of this section may be exceeded by up to 20 dB under conditions of uplink fading due to precipitation. The amount of such increase in excess of the actual amount of monitored excess attenuation over clear sky propagation conditions shall

not exceed 1.5 dB or 15% of the actual amount of monitored excess attenuation in dB, whichever is larger, with a confidence level of 90 percent except over transient periods accounting for no more than 0.5% of the time during which the excess is no more than 4.0 dB.

[72 FR 50030, Aug. 29, 2007]

$\S\,25.224$ Protection of receive-only earth stations in the 17/24 GHz BSS.

(a) Notwithstanding §25.209(c) of this part, receive-only earth stations operating in the 17/24 GHz broadcasting-satellite service can claim no greater protection from interference than they would receive if the equivalent antenna diameter were equal to or greater than 45 cm and the antenna meets the copolar and cross-polar performance paterns represented by the following set of formulas (adopted in Recommendation ITU-R BO.1213-1, dated November 2005) that are valid for $D/\lambda \ge 11$:

(1) Co-polar pattern:

$$G_{co}(\varphi) = G_{max} - 2.5 \times 10^{-3} \left(\frac{D}{\lambda} \varphi\right)^2 \text{ for } \qquad 0 \le \varphi < \varphi_m$$

$$\varphi_m = \frac{\lambda}{D} \sqrt{\frac{G_{max} - G_1}{0.0025}}$$

$$G_{max} = 10 \log \left(\eta \left(\frac{\pi D}{\lambda} \right)^2 \right)$$

$$G_1 = 29 - 25 \log \varphi_r$$
, and $\varphi_r = 95 \frac{\lambda}{D}$

$$G_{CO}(\varphi) = G_1$$

for
$$\varphi_m \leq \varphi < \varphi_r$$

$$G_{CO}(\varphi) = 29 - 25 \log \varphi$$

for
$$\varphi_r \le \varphi < \varphi_b$$
 where $\varphi_b = 10^{(34/25)}$

$$G_{CO}(\varphi) = -5 \text{ dBi}$$

for
$$\varphi_h \leq \varphi < 70^\circ$$

$$G_{CO}(\varphi) = 0 \text{ dBi}$$

for
$$70^{\circ} \le \varphi < 180^{\circ}$$

(2) Cross-polar pattern:

$$G_{cross}(\varphi) = G_{max} - 25$$

for
$$0 \le \varphi < 0.25 \varphi_0$$

$$\phi_0 = 2\frac{\lambda}{D}\sqrt{\frac{3}{0.0025}} = 3 \text{ dB beamwidth}$$

$$G_{cross}(\phi) = G_{max} - 25 + 8 \left(\frac{\phi - 0.25 \; \phi_0}{0.19 \; \phi_0} \right) \; \text{for } 0.25 \; \; \phi_0 \leq \phi < 0.44 \; \phi_0$$

$$G_{cross}(\varphi) = G_{max} - 17$$

for 0.44
$$\phi_0 \le \phi < \phi_0$$

$$G_{cross}\left(\phi\right) = G_{max} - 17 + C \left| \frac{\phi - \phi_0}{\phi_1 - \phi_0} \right| \quad \text{for } \phi_0 \leq \qquad \phi < \phi_1 \text{ where } \phi_1 = \frac{\phi_0}{2} \sqrt{10.1875}$$

$$\phi < \phi_1 \text{ where } \phi_1 \!=\! \frac{\phi_0}{2} \sqrt{10.1875}$$

$$G_{cross}(\phi) = G_{max} - 17 + C \left| \frac{1}{\phi_1 - \phi_0} \right|$$
 for ϕ

and
$$C = 21-25 \log(\varphi_1) - (G_{max}-17)$$

for $\varphi_1 \le \varphi < \varphi_2$ where $\varphi_2 = 10^{(26/25)}$

$$G_{cross}(\varphi) = 21 - 25 \log \varphi$$

$$G_{cross}(\varphi) = -5 \text{ dBi}$$

$$for ~~\phi_2 \leq \phi < 70^{\circ}$$

 $G_{cross}(\varphi) = 0 \text{ dBi}$

for $70^{\circ} \le \phi < 180^{\circ}$

where:

D: equivalent antenna diameter

λ: wavelength expressed in the same unit as the diameter

φ: off-axis angle of the antenna relative to boresight (degrees)

η: antenna efficiency = 0.65

(b) Paragraph (a) of this section does not apply to 17/24 GHz BSS telemetry earth stations. Those earth stations are subject to the antenna performance

standards of §25.209(a) and (b) of this

[72 FR 50031, Aug. 29, 2007]